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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,)
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Offense charged: Felon in Possession of a Firearm

Date of Detention Hearing: July 10, 2012.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has a lengthy criminal history including a lengthy juvenile record.

01 His criminal history includes numerous failures to appear for hearing and violations of court
02 ordered supervision, as well as previous firearms violations. He was convicted of murder in
03 the second degree and unlawful possession of firearms in 1997 and served 15 years in custody.
04 Shortly after his release from prison, he was charged with firearm possession and arrested for
05 possession of a stolen vehicle. An arrest warrant for Escape from Community Custody was
06 cleared on June 28, 2012. He has been charged with violating community supervision by
07 using marijuana (April 2011, March, April and June 2012), possessing a firearm (July 2011)
08 and associating with known gang members (October 2011). Defendant was a member of the
09 Bloods gang before his incarceration and was associating with a known gang member at the
10 time of the instant arrest.

11 2. Defendant does not have a viable release address.

12 3. Defendant poses a risk of nonappearance due to a history of failure to appear in
13 court, non-compliance with supervision, and lack of a viable release address. He poses a risk
14 of danger due to the nature of the instant offense and repeated violations while under
15 supervision, marijuana use and association with known gang members.

16 4. There does not appear to be any condition or combination of conditions that will
17 reasonably assure the defendant's appearance at future Court hearings while addressing the
18 danger to other persons or the community.

19 It is therefore ORDERED:

20 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
21 General for confinement in a correction facility separate, to the extent practicable, from
22 persons awaiting or serving sentences or being held in custody pending appeal;

2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
3. On order of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 10th day of July, 2012.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge